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**VIA EMAIL**

The Hon. Judge Cathy Seibel  
300 Quarropas St., Courtroom 621  
White Plains, NY 10601-4150

**REPLY TO AMENDED LETTER MOTION TO INTRODUCE NEWLY DISCOVERED EVIDENCE**

Dear Hon. Judge Seibel:

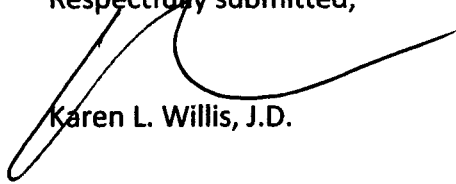
Intervenor hereby submits this reply to defendant Sixuvus tardy opposition to Intervenor's amended motion to Introduce new evidence. In it's opposition, the Sixuvus, did not deny that they have obtained a trademark for which they state under oath, their intent to perform as "The Kings of Disco." This omission is fatal to their attempt at a temporary injunction.

What the Sixuvus is missing is that the Court must allow the evidence because Intervenor has alleged **Fraud on the Court** by the Sixuvus and its counsel. As a result of this allegation with supporting evidence, the Court must determine if in fact the evidence submitted in terms of the Trademark application along with it declaration by the Sixuvus, under oath, that it intends to perform as "The Kings of Disco," rises to the level of Fraud on the Court in the context of its motion to continue performing as Village People. If Fraud on the Court is apparent, the Sixuvus motion for temporary injunction must be denied.

Finally, the Sixuvus are running scared the Court might take a closer look at their allegation of confusion and realize that the Facebook postings the Sixuvus proffered as evidence, relate solely to a **single** concert in Australia where Victor Willis was sick with a cold (not a concert performance in the United States). Though there is none, the Court lack jurisdiction to consider confusion in Australia in the context of this U.S. trademark dispute. As such, the Sixuvus are likewise concerned the Court might notice that they provided **no** evidence **whatsoever** of confusion in the United States that would rise to any meaningful level other than the Sixuvus causing confusion with a campaign of confusion directed from their social media pages. There are no independent incidences of confusion.

Accordingly, Intervenor's Amended motion for the introduction of new evidence supportive of Fraud on the Court (as amended) in the context of the Sixuvus motion for preliminary injunction, should be received, considered and adjudicated.

Respectfully submitted,



Karen L. Willis, J.D.